

Exhibit A

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DISCUSSION

The project site is a four-acre parcel. The subdivision proposed to create Parcel 1 for road and utilities (0.93 acres) and Right-of-way dedication to County for Boronda Road (0.03 acres); Parcel 2 is designed as the first lot on the side of Boronda Road, north side, for a stormwater detention basin (0.11 acres), and the existing home lot would be reduced to 0.59 acres. The net site acreage for the 16 new residential lots is 2.34 acres. The new lots will be at a ratio which HCD reviewers found appropriate for development. The ratio also meets the intent of the California Environmental Quality Act (CEQA) infill housing exemption, discussed in the staff cover report.

Title 19

The Vesting Tentative Map (VTM) was found to comply with the regulations for design and labelling required by Title 19 section 19.03.010. A preliminary soils report was submitted as part of the application pursuant to Title 19 section 19.03.015.J and Subdivision Map Act section 66490. The soils report found no groundwater table above a 41-foot depth at the project site and low liquefaction potential; the report concluded that the land has good groundwater recharge and sufficient percolation. A hydrogeological report was not required for this subdivision because it is in a Community Plan Area that is served by an established public utility, California Water Service, that plans for and manages water availability to serve the property and expressed the kind of research and analysis that a hydrogeological report would entail in the California Water Service 2020 Urban Water Management Plan for the Salinas District (dated June 2021). Also, California Water Service provided a “Can and Will Serve” letter for the proposed subdivision. More discussion is provided under *2010 General Plan*, below. Average single family home residential water use is estimated to be 0.27-acre-feet per year (AFY) and the proposed water usage will be for 17 residences, or 4.59 AFY. As required by Title 19 section 19.03.15.L, the Health Department determined the water supply and health and safety of the water supply are adequate to serve the subdivision. County did not require a hydrogeological report in this case because the subject site is on a well-documented water basin. The subdivision shall require a Homeowners Association, pursuant to Title 19 and required by Condition of Approval No. 19. As required by Title 19 section 19.03.015.N, the application included an Archaeological Report. No archaeological resources were found to have the potential to be impacted as part of the subdivision. The slope summary table on the VTM conveys that 99.9% of the existing lot area is 20% slope or less, 0.003% is between 20% and 30%, and 0.004% is greater than 25% slope. The naturally sloped portion is a drop at the eastern-most edge of the property. Drainage from the subdivision will be controlled by improvements including compacted fill so that surface water will run toward the drainage basin at the last lot to the west. Site improvements to allow property drainage would result in an increase in elevations required retaining walls and constructed slopes. The site plan includes a retaining wall of 3 feet to 8 feet immediately after the 3:1 sloped constructed area at edges of Lots 6, 7, 8 and 9. In an effort to aid the offsite drainage issues from these slopes and from APN 261-101-002-000 toward APN 261-101-005-000, the project proposes to construct an 8-foot wide drainage channel along the northern half of the eastern edge of the subdivision after the retaining wall. The project site is not within a FEMA designated floodplain. There is one utility easement located on the project site; it is a sanitary sewer easement at the southeast corner and an existing 6-inch sanitary sewer main is located in the easement. Monterey County Regional Fire District staff reviewed the design and advised placement of two hydrants within the subdivision at the locations they are shown (above Lot 17

and above Lot 10).

Title 21

The project complies fully with the requirements of the zoning ordinance for lot size and density. The maximum building site coverage for the MDR zoning is 35%. Setbacks are 20 feet front, 5 feet side, 10 feet rear. Setbacks are drawn on the VTM. The smallest lot created on this subdivision is 6,004 square feet in size. Height maximum is 30 feet for the district, so a two-story residence could be as much as 4,200 square feet in floor area on the smallest lot. The lot sizes in the neighborhood are as small as 6,500 square feet and most are larger. There is sufficient room for onsite parking, as well. The proposed subdivision is consistent with the design of others in the neighborhood.

The Project is within the “A” Zoning District. The purpose of the district is to provide for some agricultural use of land while placing limits on the number of animals and intensity of agricultural uses in those areas which are not suitable by size, terrain, neighborhood uses or similar constraints for extensive agricultural use. Historical aerial photography was reviewed which indicated that the open areas of the existing lot was used for horsemanship. All uses are permitted in the district with which the “A” District is combined. No special regulations would prevent this subdivision.

The Urban Reserve zoning overlay indicates that the area is anticipated for future annexation to the City of Salinas (City). Therefore, the application was reviewed by the City Planning and Development Engineering offices. The City Planner’s review indicated that there were no design elements particular to this subdivision that would not meet applicable City of Salinas ordinances. Zoning would be eight dwelling units per net acre. As discussed above, the net site acreage for the 17 new residential lots is 2.93 acres. This is less than eight units per acre; should further subdivision of lots, or resubdivision, be proposed under the City’s jurisdiction, they could be allowed to do so. Therefore, the subdivision has the potential to comply with the City zoning upon annexation. The City requires an Agrarian Easement on the property. County’s requirement for an Agricultural Buffer easement aligns with this requirement to allow for smooth transition to City jurisdiction. The Development Engineering review offered review comments toward the final improvement plans which will be attached to the Final Map for Board acceptance. The City Development Engineering office requested that the improvement plans detail curb ramps, streetlights, cluster mailbox, street trees and a joint trench and that the utility cabinets and transformers be installed underground. When the project’s sewer ties to the Boronda system, the City stated that the Boronda system discharges to the City’s sanitary sewer. Therefore, the Applicant shall pay City sanitary sewer impact fees when they construct. Lastly, the City Engineer estimated the Salinas traffic fees in the 2021 review.

Variance to Title 21, Section 21.66.030

During application reviews, HCD staff and the Agricultural Commissioner’s Office recommended that the applicant include an easement on the west side of the subdivision to establish a well-defined buffer for the protection of agriculture from the impacts of new residential development. The applicant did not add an agricultural buffer easement to the proposed Vesting Tentative Map but made a presentation to the Agricultural Advisory Committee (AAC) on April 27, 2023 as to why they could not comply with 2010 Monterey County General

Plan Policy No. AG-1.2 and Monterey County Code section 21.66.030.F.2. The AAC reviewed a sketch of a proposed easement area which was only 20 feet with a 6-foot tall sound wall added structural buffering. The AAC generally supported the project with an agricultural easement of less than 200 feet but they did not take a vote. Rather, they reviewed the proposed agricultural buffer for the subdivision and made recommendations such as: 1) construct a 7-foot-tall buffer wall along the 20-foot setback line of the existing dwelling's lot, 2) add vegetation buffers and 3) reach out to the area's agricultural operators to exchange information of their activities so that growers can advise of their crop operations and activities to reduce incompatible issues. The applicant redesigned the proposed VTM and, in doing so, added more area to the northwestern corner which can serve as agricultural buffer. The distance from agricultural operations on the west side of Boronda Road to the nearest new residential lot would be 139 feet, and a 6-foot soundwall is proposed at the first residential lot for the width of the lot. The easement would include all of Parcel 2 and no structures would be added to that area, although occasional maintenance of the drainage control basin may be required and should be allowed. Although the existing dwelling is approximately 120 feet from the Farmland parcel boundary across Boronda Road, the owner/Applicant proposes to construct a 6-foot-tall sound wall at 78 ½ feet distance from the Farmland parcel boundary to add buffering. The redesigned VTM was not brought back to the AAC because the potential impact to nearby agricultural uses by the subdivision would be reduced by the redesign (see also discussion under "Advisory Committees," below). The applicant requests this smaller area and two sound walls be sufficient to meet the agricultural buffer easement requirements and requests a Variance to Title 21 section 21.66.030.F.2. Staff recommends that the Planning Commission support approval of the Variance. This recommendation is based on the AAC review, and because several other developed parcels along Boronda Road abut the same agricultural uses and lack any agricultural buffer easement.

2010 General Plan

The project site is located within the Boronda Community Area established in the 2010 General Plan (2010 GP). The Project is consistent with other Land Use Policies LU-1.19, which prioritizes development within Community Areas and is not subject to meeting the criteria of the Development Evaluation System of Policy LU-1.19. The Project is consistent with 2010 GP Land Use Policy LU-2.25, which allows for development of subdivisions in Community Areas prior to adoption of a Community Plan. The project is conditionally consistent with LU-2.12 and 2.13, affordable housing requirements, with a modified proposal that was reviewed by the Housing Advisory Committee for recommendation to the Planning Commission. The ratio and affordability levels are discussed below and in Condition of Approval No. 8. No park area is proposed, and the Quimby Act requirements shall be complied with in the form of in-lieu fees to the Parks Department (Condition No. 9).

The property has been found to be able to be served by public services including water, wastewater, fire, police, and public transportation; in compliance with Table PS-1 of the 2010 General Plan. The project site is within the County Water Resource Agency's Zone 2C and therefore County relied on available reports that address the potential of a long-term sustainable water supply to the Project under policy PS-3.1. Evidence of the project's ability to meet the long-term sustainable water supply criteria under Policy PS-3.2 is found within the California Water Service 2020 Urban Water Management Plan for the Salinas District (dated June 2021). In the Plan, they analyzed their infrastructure, historical and projected water demands, water

supplies, supply reliability and vulnerabilities, contingency planning, and demand management programs, including water conservation planning to assess the groundwater conditions and ensure they can meet their service needs. Based on this analysis, California Water Service's report stated that the available supplies are expected to be sufficient to meet projected demands in all hydrologic conditions. The conservation progress update made in February 2024 (www.calwater.com) shows Salinas is in the green on overall water-use reduction, using 7.5% less water in February 2024 than in February 2020. Also, the utility provided the project with a "Can and Will Serve" letter.

5,000 Cubic Yards (CY) of cut and 10,900 CY of fill are anticipated, disturbing 3.3 acres and importing a net of 6,560 CY. Grading quantities are high due to the restructuring of the slope from natural to opposite direction. Condition of Approval No. 22, Construction Management Plan, was applied to the project to allow Public Works and HCD-Engineering Services to review and approval the hauling routes, times, and parking locations of the related trucks.

Most policies in the Greater Salinas Area Plan do not relate to this development because it is not on Highway 68 or in a Special Treatment Area and is within a Community Area. GS-3.2 does relate to this development in that it requires native vegetation to be used to integrate the man-made environment with the natural environment and to screen/soften the visual impact of new development. The subdivision shall be landscaped in the common areas (Condition No. 24).

Traffic and Roads

A Traffic Study was prepared for this Project by Keith Higgins (January 14, 2022, HCD-Planning Document No. LIB220053). The report concluded that this Project, when analyzed alone, would not generate significant new traffic when it adds 16 single family homes on a new cul-de-sac street that will be about 700 feet long. The Project's Trip Generation was modeled to be a total of 150 daily trips. The Project was estimated to generate 12 trips occurring during the AM peak hour (3 in, 9 out) and 16 trips occurring during the PM peak hour (10 in, 6 out). Hence, the Project would increase traffic on Boronda Road about 4% (one car every five minutes) immediately south of the Project. All other segments would experience increases of 2% or less. The traffic report found these increases would be imperceptible. Cumulative conditions plus the Project were analyzed in the traffic report. Intersections analysis resulted in no changes in traffic operations, but the Boronda Road at Calle Del Adobe intersection would marginally meet all-way stop warrants. The Post Drive and El Rancho Way approaches at the Post Drive at Calle De Adobe intersection would operate at LOS F (peak hours of AM and PM). Signalizing this intersection would bring the LOS up to LOS B during the AM and PM peak hours. The Project would be responsible for paying its fair-share contribution towards the signal, based on the relative number of trips it adds to the intersection. The City of Salinas is coordinating the installation of a signal at this intersection, therefore the Project's payment of fair-share to construct it is Condition No. 10, City of Salinas Traffic Fee. 2010 GP Policy C-4.2 states, "all new road and interior circulation systems shall be designed, developed, and maintained according to adopted County standards or allowed through specific agreements and plans." HCD-Engineering staff and Monterey County Regional Fire District reviewed the subdivision improvements and found the new road, proposed to be called "A Street," complies with all regulations. The entrance is proposed to be built of pervious pavers with an island to allow turn-around, a small median to slow traffic upon entry into the cul-de-sac, and 5-foot sidewalks on

both sides and the front. The interior road would be 36 feet wide, allowing 8 feet of limited parking and two 10-foot lanes. Note that Regional Fire District required red curb painting to restrict parking on portions of the sides and the end of the cul-de-sac for emergency access.

Affordable Housing

Policy LU-2.13 of the 2010 GP requires consistent application of an affordable housing ordinance which requires new development to provide 6% very low, 6% low, 8% moderate, and 5% Workforce I units for a total project obligation of 25%. Chapter 18.40 of Monterey County Code (Inclusionary Housing) requires 20% affordable units (8% moderate, 6% low, 6% very low) for all new development of five or more units. With the adoption of GP Policy LU-2.13, the affordability ratio in Policy LU-2.13 became the standard for residential development of five or more units. Title 18 section 18.40.070 requires units to be built on-site unless the applicant demonstrates greater contribution to County's affordable housing needs at an offsite location. In that case, units are to be located within the subdivision. When calculating the percentage of inclusionary housing, County subtracts existing lots from the total. The Project site consists of one existing unit, so the base unit is 16. Using a 20% affordability ratio, the project is required to provide three inclusionary units, which this Project does. The Project as proposed would meet this requirement by providing all inclusionary units at the moderate income level. The applicant provided a breakdown of how perfect compliance with Chapter 18.40 would be cost preventative with a subdivision of this size. Staff brought the proposed alternative compliance with the Code to the Housing Advisory Committee (HAC) on April 10, 2024. The applicant's proposed Inclusionary Housing income level distribution for the project is three moderate-income inclusionary units instead of the one low- and two moderate-income units required by the Inclusionary Housing Ordinance and no Workforce Housing requirement, whether in lieu fee or otherwise, because they claim the 5% Workforce requirement of the GP Policy LU-2.13 was not formally adopted into the Title 18 ordinance and that requiring 5% Workforce housing is an impediment to provision of housing. The HAC considered this proposal most reasonable and recommended it to the Planning Commission in a unanimous vote (5 AYES, 0 NOES). The three moderate income level homes are required to be constructed prior to the issuance of the building permit for the tenth market rate unit (Condition No. 8, **Exhibit B**). Staff recommends the Planning Commission adhere to the GP Policy LU-2.13 and require 5% (one lot) at Workforce I income level or the in lieu fee. The 5% that is required to be Workforce I level is above moderate-income housing that sufficiently addresses the Regional Housing Needs Allocation (RHNA) affordability level. County has consistently issued the required number of permits for this affordability level and there has been no evidence that it constitutes an impediment to the development of housing. However, the County has not met the need for providing Moderate income level units. Therefore, the Project is conditioned to provide approximately 20% inclusionary housing at moderate income level (3 units) to be constructed by the developer prior to the issuance of the 10th building permit on market rate units in the subdivision and 5% Workforce I with the provision that applicant may satisfy the requirements for the Workforce I lot by either providing a full lot or paying a pro-rated in-lieu fee of \$35,266 at the time the Final Map is recorded.

Density Bonus

Zoning of the property (MDR/4) allows a maximum of four units per every acre. Based on the total acreage (four acres), the maximum allowed lots/units is 16. Title 21 section 21.65.050.C

states that applications that provide and maintain at least 10% of the base units¹ in a condominium or planned development project to moderate income units are eligible for a density bonus. Pursuant to the table in Title 21 section 21.65.060.C.3, projects that provide 18% of moderate units qualify for a maximum density bonus of 13% in the number of market rate units allowed in MDR/4 zoning, which results in two bonus units for the Project. Absent the County's Inclusionary Housing Ordinance, the applicant would need to sell two units to moderate-income households (10% of the project) to qualify for a 5% density bonus (one additional unit) necessary to develop the existing unit and 16-new units on the four-acre parcel.

¹ Title 21 section 21.65.0303.C defines "base units" as the number of units that would be allowed under the General Plan land use designation and zoning ordinance for the site before calculation of the density bonus.